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A bill to be entitled
 An act relating to public school classroom teachers;
 amending s. 1012.71, F.S.; renaming the Florida
 Teachers Lead Program as the Florida Teachers
 Classroom Supply Assistance Program; providing for
 local contributions to the program; requiring
 identification of debit cards used as a method of
 payment to teachers; authorizing public-private
 partnerships to increase the total amount of funds
 available; deleting obsolete provisions; amending s.
 1012.05, F.S.; conforming provisions; providing an
 effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1012.71, Florida Statutes, is amended
 to read:

1012.71 The Florida Teachers Classroom Supply Assistance
~~Lead~~ Program.—

(1) For purposes of the Florida Teachers Classroom Supply
Assistance ~~Lead~~ Program, the term "classroom teacher" means a
 certified teacher employed by a public school district or a
 public charter school in that district on or before September 1
 of each year whose full-time or job-share responsibility is the
 classroom instruction of students in prekindergarten through
 grade 12, including full-time media specialists and guidance
 counselors serving students in prekindergarten through grade 12,
 who are funded through the Florida Education Finance Program. A

29 "job-share" classroom teacher is one of two teachers whose
 30 combined full-time equivalent employment for the same teaching
 31 assignment equals one full-time classroom teacher.

32 (2) The Legislature, in the General Appropriations Act,
 33 shall determine funding for the Florida Teachers Classroom
 34 Supply Assistance ~~Lead~~ Program. The funds appropriated are for
 35 classroom teachers to purchase, on behalf of the school district
 36 or charter school, classroom materials and supplies for the
 37 public school students assigned to them and may not be used to
 38 purchase equipment. The funds appropriated shall be used to
 39 supplement the materials and supplies otherwise available to
 40 classroom teachers. From the funds appropriated for the Florida
 41 Teachers Classroom Supply Assistance ~~Lead~~ Program, the
 42 Commissioner of Education shall calculate an amount for each
 43 school district based upon each school district's proportionate
 44 share of the state's total unweighted FTE student enrollment and
 45 shall disburse the funds to the school districts by July 15.

46 (3) From the funds allocated to each school district and
 47 any funds received from local contributions for the Florida
 48 Teachers Classroom Supply Assistance ~~Lead~~ Program, the district
 49 school board shall calculate an identical amount for each
 50 classroom teacher, which is that teacher's proportionate share
 51 of the total amount allocated to the district from state funds
 52 and funds received from local contributions. A job-share
 53 classroom teacher may receive a prorated share of the amount
 54 provided to a full-time classroom teacher. The district school
 55 board and each charter school board shall provide each classroom
 56 teacher with his or her total proportionate share by September

57 30 of each year by any means determined appropriate by the
 58 district school board or charter school board, including, but
 59 not limited to, direct deposit, check, debit card, or purchasing
 60 card, ~~notwithstanding any law to the contrary.~~ If a debit card
 61 is used, an identifier must be placed on the front of the debit
 62 card which clearly indicates that the card has been issued for
 63 the Florida Teachers Classroom Supply Assistance Program.

64 Expenditures under the program are not subject to state or local
 65 competitive bidding requirements. Funds received by a classroom
 66 teacher do not affect wages, hours, or terms and conditions of
 67 employment and, therefore, are not subject to collective
 68 bargaining. Any classroom teacher may decline receipt of or
 69 return the funds without explanation or cause. ~~This subsection~~
 70 ~~shall apply retroactively to July 1, 2007.~~

71 (4) Each classroom teacher must sign a statement
 72 acknowledging receipt of the funds, keep receipts for no less
 73 than 4 years to show that funds expended meet the requirements
 74 of this section, and return any unused funds to the district
 75 school board at the end of the regular school year. Any unused
 76 funds that are returned to the district school board shall be
 77 deposited into the school advisory council account of the school
 78 at which the classroom teacher returning the funds was employed
 79 when that teacher received the funds or deposited into the
 80 Florida Teachers Classroom Supply Assistance ~~Lead~~ Program
 81 account of the school district in which a charter school is
 82 sponsored, as applicable.

83 (5) The statement must be signed and dated by each
 84 classroom teacher before receipt of the Florida Teachers

85 Classroom Supply Assistance ~~Lead~~ Program funds and shall include
 86 the wording: "I, ...(name of teacher)..., am employed by the
 87 ...County District School Board or by the ...Charter School as
 88 a full-time classroom teacher. I acknowledge that Florida
 89 Teachers Classroom Supply Assistance ~~Lead~~ Program funds are
 90 appropriated by the Legislature for the sole purpose of
 91 purchasing classroom materials and supplies to be used in the
 92 instruction of students assigned to me. In accepting custody of
 93 these funds, I agree to keep the receipts for all expenditures
 94 for no less than 4 years. I understand that if I do not keep the
 95 receipts, it will be my personal responsibility to pay any
 96 federal taxes due on these funds. I also agree to return any
 97 unexpended funds to the district school board at the end of the
 98 regular school year for deposit into the school advisory council
 99 account of the school where I was employed at the time I
 100 received the funds or for deposit into the Florida Teachers
 101 Classroom Supply Assistance ~~Lead~~ Program account of the school
 102 district in which the charter school is sponsored, as
 103 applicable."

104 (6) The Department of Education and district school boards
 105 may, and are encouraged to, enter into public-private
 106 partnerships in order to increase the total amount of Florida
 107 Teachers Classroom Supply Assistance Program funds available to
 108 classroom teachers.

109 ~~(6) For the 2009-2010 fiscal year, the Department of~~
 110 ~~Education is authorized to conduct a pilot program to determine~~
 111 ~~the feasibility of managing the Florida Teachers Lead Program~~
 112 ~~through a centralized electronic system. The pilot program must:~~

113 ~~(a) Be established through a competitive procurement~~
 114 ~~process;~~

115 ~~(b) Provide the capability for participating teachers to~~
 116 ~~purchase from online sources;~~

117 ~~(c) Provide the capability for participating teachers to~~
 118 ~~purchase from local vendors by means other than online~~
 119 ~~purchasing;~~

120 ~~(d) Generally comply with the provisions of this section;~~

121 ~~(e) Be subject to annual auditing requirements to ensure~~
 122 ~~accountability for funds received and disbursed; and~~

123 ~~(f) Provide for all unused funds to be returned to the~~
 124 ~~state at the close of each fiscal year.~~

125
 126 ~~Any participation in this pilot program by school districts and~~
 127 ~~individual teachers must be on a voluntary basis. The department~~
 128 ~~may limit the number of participating districts to the number it~~
 129 ~~deems feasible to adequately measure the viability of the pilot~~
 130 ~~program. The department is not required to implement this pilot~~
 131 ~~program if it determines that the number of school districts~~
 132 ~~willing to participate is insufficient to adequately measure the~~
 133 ~~viability of the pilot program.~~

134 Section 2. Paragraph (p) of subsection (2) of section
 135 1012.05, Florida Statutes, is amended to read:

136 1012.05 Teacher recruitment and retention.—

137 (2) The Department of Education shall:

138 (p) ~~The Department of Education shall~~ Notify each teacher,
 139 via e-mail, of each item in the General Appropriations Act and
 140 legislation that affects teachers, including, but not limited

PCS for HB 1033

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141 to, the Excellent Teaching Program, the Florida Teachers
142 Classroom Supply Assistance ~~Lead~~ Program, liability insurance
143 protection for teachers, death benefits for teachers,
144 substantive legislation, rules of the State Board of Education,
145 and issues concerning student achievement.

146 Section 3. This act shall take effect July 1, 2013.